



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lamberty *et al.*
Serial No. : 09/673,274 Examiner : Liu, S.
Filed : April 12, 1999 Group Art Unit: 1653
For : GENE CODING FOR HELIOMICINE, AND USE THEREOF

RESPONSE TO OFFICE COMMUNICATION

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

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Rochelle K. Seide
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Signature

July 29, 2003
Date of Signature

Commissioner for Patents
Alexandria VA 22313-1450

Sir:

This paper is submitted in response to the Office Communication mailed June 3, 2003. Applicants submit herewith a Petition to Extend Time for Applicant's response for a period of two months, up to and including August 3, 2003, and accordingly enclose a check in the amount of \$410.00 as required under 37 C.F.R. § 1.17(a)(2) for a non-small entity.

In the Office Communication, the Examiner indicated that Applicants' prior responses filed October 18, 2002, January 21, 2003 and April 8, 2003 were not fully responsive to the Restriction Requirement issued September 30, 2002 because elected SEQ ID NO:39 reads on a large number of amino acid sequences, whereas election of a single amino acid sequence is

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required under 35 U.S.C. § 121. Also, the Examiner alleges that the sequence of SEQ ID NO:39

reads on the antibacterial peptides of Hoffman *et al.* (Immunol. Today 1992; 13:411-415).

In response, please consider the following amendments and remarks.